THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No.15943 of 2006
Dated: 01-08-2006

Between:

P.Satyanarayana Raju and another Petitioners

And

The Commissioner, Vishakapatnam Municipal Corporation, Vishakapatnam.

Respondents

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No.15943 of 2006

ORDER:

1. Heard the counsel.

2. The writ petition is filed for a Writ of Mandamus declaring the action of the respondent, his agents, officials or any person/s claiming through or under him from interfering with the construction activity of the petitioners over the schedule property land admeasuring 1376 square yards in Survey No.13/IAI, situated at Gopalpatnam village, Visahakapatnam as illegal and pass such other suitable orders.

3. It is stated that the petitioners are the owners and possessors of land as referred to supra, and the petitioners filed an application before the respondent for construction of commercial complex and it is also stated that the building plan was approved. It is further stated that on 27-07-2006 the respondent came to the schedule property and threatened to demolish the structures.

4. The main grievance of the petitioners is that unless and until the respondent follows due process of law, such unauthorized

interference is unwarranted. It is needless to say that when the respondent intends to initiate any action, the respondent is expected to follow the due process of law.

5. In view of the same, the writ petition is disposed of with a direction not to resort to any demolition activity unless and until the respondent follows due process of law. No order as to costs.

_____

01-08-2006

Stp